

Appendix A

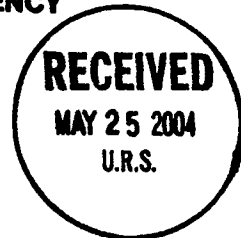
Agency Scoping



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901



May 13, 2004

Scott Stapp
Senior Environmental Planner
URS Corporation
333 East Wetmore Road, Suite 611
Tucson, AZ 85705

Re: Proposed Interstate 10 Interchange at Twin Peaks/Linda Vista ADOT Project No. 010-D (AIW), TRACS No.10 PM 236 H5838 01C in Tucson and its impact on the Sole Source Aquifer

Dear Ms. Stapp:

We have completed our review of the summary of plans for the proposed Interstate 10 Interchange at Twin Peaks/Linda Vista in Tucson, Arizona and its potential impact on the Santa Cruz/Avra Basin Sole Source Aquifer. Under provisions of the Safe Drinking Water Act, Section 1424(e), EPA is charged with review of projects which receive Federal financial assistance and are located in areas overlying a Sole Source Aquifer. This program is designed by Congress to assure that projects receiving federal financial assistance are constructed and operated in a manner to prevent contamination of valuable groundwater resources.

Our main concern with proposed project is the shallow nature of ground water in this area. This may be a primary recharge zone for the Santa Cruz aquifer. We have reviewed the proposed precautionary practices associated with the construction of the bridge over the Santa Cruz River and support a rigorous implementation of these Best Management Practices (BMPs) during construction.

Therefore, under provisions of the Safe Drinking Water Act, Section 1424(e) we have no objections to the proposed road improvements project on proposed Interstate 10 Interchange at Twin Peaks/Linda Vista in Tucson, Arizona which is being funded through federal funds. We do not observe any risk of this project to impact the quality of groundwater in the area, specifically the Upper Santa Cruz and Avra Basin Sole Source Aquifer. However, it should be noted that this approval of the funding of the project is wholly separate from any approval or disapproval of the merits of the project itself. If you have any questions, please call me (415) 972-3543.

Sincerely,

Martin Zeleznik
Groundwater Office



Scott Stapp
10/03/2003 11:54 AM

To: "Greg Keller" <GKeller@Ind.state.az.us>
cc: <Scott_stapp@urscorp.com>, "Gordon Taylor"
<GTaylor.LND_PO.LND_DOM@Ind.state.az.us>
Subject: Re: New I-10 Interchange

Interstate 10 Traffic Interchange at Twin Peaks/Linda Vista, ADOT Project No.: 010-D(XXX), TRACS
No.: 10 PM 236 H5838 01C

Greg,

I received your comments on the above named project. I will substitute your contact information for Mr. Mark Winkleman, State Land Commissioner and send you any future information on the project.

Thank you for your interest and efforts.

Scott Stapp
URS
(520) 407-2820

"Greg Keller" <GKeller@Ind.state.az.us>



"Greg Keller"
<GKeller@Ind.state.az.us>

10/03/2003 11:42 AM

To: <Scott_stapp@urscorp.com>
cc: "Gordon Taylor" <GTaylor.LND_PO.LND_DOM@Ind.state.az.us>
Subject: New I-10 interchange

Scott...sorry that I was not able to come to the 9/29 scoping meeting re: this new interchange...while there is no Trust land in the immediate vicinity of where this new TI is to be placed, I will be interested on keeping up on the study as it affects the overall transportation system in this area of Marana...please send all information to: Greg Keller, Project Manager: Az. State Land Dept.; 1616 W. Adams; Phoenix, AZ 85007...my direct phone line is (602)542-2646... thanks, scott...Greg



Cmid12253@cs.com

09/24/2003 12:41 PM

To: scott_stapp@urscorp.com

cc:

Subject: Interstate 10 Traffic Interchange, Twin Peaks/Linda Vista

Mr. Stapp,

Thank you for providing our District with notice of the 9-29-03 meeting concerning the I-10 TI at Twin Peaks and Linda Vista. CMID is currently without a manager and as the former manager, I am working as a consultant to help them along. The District has an open irrigation canal along the Northwest side of I-10, between the westbound highway lanes and the Frontage Road. I would like to make two (2) suggestions at this time.

1. What was done in a similar situation, at the Cortaro TI 4-6 years ago regarding our irrigation canal would seem appropriate for the proposed new TI. This involved the placement of approximately 1/2 mile of open canal in an underground pipeline. CMID has a priority position dating back to 1919 which ADOT recognized and ADOT absorbed the cost of the pipeline relocation.
2. I would like to see the freeway left at its present level and have Twin Peaks/Linda Vista cross over the freeway and the railroad, thereby eliminating many problems we now have at the Cortaro/Ina interchanges, and which will become increasingly pertinent to the AVR, Tangerine and Marana TI's in the not to distant future.

Please feel free to e-mail me with any comments and/or concerns.

Sincerely,

Robert Condit
Consultant for
Cortaro Water Users' Association
Cortaro-Marana Irrigation District



"Cheryl Holliday"
<cjh2407@hotmail.co
m>

09/23/2003 12:17 PM

To: scott_stapp@urscorp.com
cc:
Subject: I-10 Twin Peak/Linda Vista

In reference to your letter dated August 15, to Lt. David Denlinger, Highway Patrol, on I-10 Twin Peak/Linda Vista interchange "only concerns traffic impact as project comes up, and no environmental feedback."

Thank you

Express yourself with MSN Messenger 6.0 -- download now!
http://www.msnmessenger-download.com/tracking/reach_general

Sandy Loomis
08/29/03 12:32 PM

To: Scott_Stapp@URSCorp.com
cc: bill_dehn@urscorp.com
Subject: Re: Interstate 10 Traffic Interchange at Twin Peaks/Linda Vista, ADOT
Project No.: 010-D(XXX), TRACS No.: 10PM 238 H5838 01C

Below is the information you requested:

T. 12 S., R. 13 E.,
sec. 18 is private
sec. 19 is private except for W2NW4 and that is State of Arizona

T. 12 S., R. 12 E.,
sec. 9 is private except for N2NE4 and that is State of Arizona
sec. 13, 14 & 15 is private
sec. 16 is private except for the NE4 and that is State of Arizona
sec. 20, 22, 23, 24, 26 & 27 - are all private.

Have a good day.

Sandy Loomis
Land Law Examiner
Bureau of Land Management
12681 E. Broadway Blvd.
Tucson, AZ. 85748-7208
(520) 258-7228
sandy_loomis@blm.gov
Scott_Stapp@URSCorp.com



Scott_Stapp@URSCor
p.com
08/27/03 03:37 PM

To: sandy_loomis@blm.gov
cc: bill_dehn@urscorp.com
Subject: Interstate 10 Traffic Interchange at Twin Peaks/Linda Vista, ADOT
Project No.: 010-D(XXX), TRACS No.: 10PM 238 H5838 01C

Sandy,

We'll try this again.

The project may involve portions of:

T12S, R13E, Sections 18 and 19

T12S, R12E, Sections 9, 13, 14, 15, 16, 20, 21, 22, 23, 24, 26, 27

Sorry about the mix up the first time.

Scott Stapp
Environmental Planning Team Leader
URS
333 East Wetmore, Suite 611
Tucson, AZ 85705
direct phone: (520) 407-2820
cell phone: (520) 907-7513
phone: (520) 887-1800
fax: (520) 887-8438
e-mail: scott_stapp@urscorp.com

Appendix B

U.S. Fish and Wildlife Service Consultation Letters



United States Department of the Interior

U.S. Fish and Wildlife Service
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021-4951
Telephone: (602) 242-0210 FAX: (602) 242-2513



In Reply Refer to:

July 8, 2003

Dear Federal Partner:

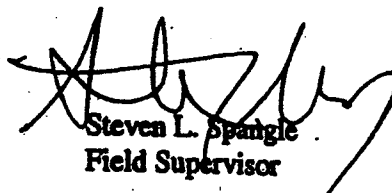
*Received from Scott
Richardson, USFWS
9/2/03*

On June 26, 2002, the Regional Director for Region 2 of the U.S. Fish and Wildlife Service and the Director of the Arizona Game and Fish Department (AGFD) signed a Memorandum of Agreement (MOA) entitled "State Wildlife Agency Participation in Implementing the Endangered Species Act: State of Arizona." The purpose of this agreement is to facilitate joint participation, communication, coordination, and collaboration between the Fish and Wildlife Service's Endangered Species Program and the AGFD regarding implementation of the Endangered Species Act of 1973, within the State of Arizona.

In this MOA we agreed to recommend to Federal action agencies that they invite AGFD to participate in all section 7 conferences and consultations involving wildlife in Arizona. The MOA also states that, subject to approval by the Federal action agency, the Fish and Wildlife Service would provide the AGFD with a copy of any documents pertinent to a formal section 7 consultation, as well as copies of biological evaluations and other appropriate project documents related to section 7 conferences and consultations. During subsequent discussions to develop specific implementation guidance for the MOA, we mutually agreed to modify it to say that the Federal action agency may provide the AGFD with a copy of any documents pertinent to a formal section 7 consultation. Therefore, we will not provide a copy directly to the AGFD.

In developing the implementation guidance for this agreement, we also mutually agreed that we would send all of the Federal action agencies with potential projects in Arizona this annual letter encouraging them to share their section 7 documents with the AGFD and we are requesting that all conference and consultation cover letters sent to us also be copied to the Department. We also encourage you to share biological assessments as well as draft and final biological opinions with the AGFD. Please be assured, however, that we will not provide any of your draft biological opinions to the AGFD without your consent. Additionally, AGFD participation for all formal and informal consultations will be subject to approval by any Tribal participant, availability of AGFD staff, and to regulatory time frames.

We believe that these extra efforts to include our State AGFD partners will result in a more efficient and more effective section 7 consultation process for all involved. Thank you in advance for your continuing cooperation in helping us to improve the section 7 process. Please contact me (602-242-0210, x240) or Tom Gatz (x240) if you have any questions about this agreement or this request. The contact for AGFD is John Kennedy at 602-789-3602, 2221 West Greenway Road, Phoenix, Arizona 85023.


Steven L. Spangle
Field Supervisor

cc: Regional Director, Fish and Wildlife Service, Albuquerque, NM (Attn: Susan MacMullin, DARD-ES)

Arizona Game and Fish Department, Phoenix, AZGFD (Attn: Terry Johnson)

w:tomgatz/agfd annual letter.wpd/ij



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION

One Arizona Center-Suite 410
400 East Van Buren Street
Phoenix, Arizona 85004-2285

August 4, 2004

IN REPLY REFER TO:

HA-AZ

STP-010-D(AIW)

I-10 TI at Twin Peaks/Linda Vista
TRACS No. 10 PM 236 H5838 01C

Mr. Steven Spangle, Field Supervisor
U.S. Fish and Wildlife Service
Arizona Ecological Services Office
2321 West Royal Palm Road, Suite 103
Phoenix, Arizona 85021

Dear Mr. Spangle:

The Town of Marana in cooperation with the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) is developing design concepts and conducting environmental analyses, which may lead to the design and construction of a new traffic interchange (TI) on Interstate 10 (I-10) in Marana. The proposed new TI is located approximately midway between the Avra Valley Road TI (Mile Post [MP] 242) and the Cortaro Road TI (MP 246) and is proposed to connect to Twin Peaks Road on the west and El Camino de Mafiana/Linda Vista Boulevard on the east. The project will require a new bridge over the Santa Cruz River. The FHWA, as the lead agency, hereby requests concurrence on the determination for the Cactus Ferruginous Pygmy-owl for the above-referenced transportation project.

The biological evaluation (BE) for this project is enclosed. The BE considers the direct, indirect, and cumulative effects of this proposed project on federally listed species. It includes a complete project description, species evaluation, and a finding of "may affect, but is not likely to adversely affect, the Cactus Ferruginous Pygmy-owl or its habitat." We request your concurrence with this determination.

ADOT has informally discussed this project with Scott Richardson of the U.S. Fish and Wildlife Service at meetings on August 25, 2003 and May 13, 2004.

Please contact Steve Thomas, FHWA at (602) 379-3645 x-117, or Melissa Maiefski, ADOT at (520) 620-5419 should you have any questions or require additional information. ADOT has been authorized as a non-federal representative for FHWA in this process. Thank you for your continued assistance.

..Sincerely,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

cc: SThomas, PBteyl, MMaiefski (T-100), Scott Stapp, URS
SDT: cdm

Scott:

520-887-

8438

Steve



United States Department of the Interior

U.S. Fish and Wildlife Service

2321 West Royal Palma Road, Suite 103

Phoenix, Arizona 85021-4951

Telephone: (602) 242-0210 FAX: (602) 242-2513



In Reply Refer to:

AESO/SE

02-21-04-I-0419

December 21, 2004

**Mr. Robert E. Hollis
Federal Highway Administration
One Arizona Center Suite 410
400 East Van Buren Street
Phoenix, Arizona 85004-2285**

**Reference File: HA-AZ
STP-010-D(AIW)
I-10 TI at Twin Peaks/Linda Vista
TRACS No. 10 PM 236 H5838 01C**

Dear Mr. Hollis:

This letter acknowledges our August 9, 2004, receipt of your August 4, 2004, letter requesting informal section 7 consultation under the Endangered Species Act. The consultation concerns the possible effects of the proposed construction of a new traffic interchange on Interstate 10 in Marana to connect Twin Peaks Road on the west and El Camino de Mafiana/Linda Vista Boulevard on the east. The project will require a new bridge over the Santa Cruz River. Specifically, you requested our concurrence with your determination that this project "may affect, but is not likely to adversely affect" the cactus ferruginous pygmy-owl (*Glaucidium brasillanum cactorum*; pygmy-owl), a species listed as endangered under the Endangered Species Act.

Pygmy-owls are currently found in proximity to the project site. All three currently occupied pygmy-owl sites in northwest Tucson are within mean dispersal distance for pygmy-owls of this project (approximately five miles). An additional eight sites, which have been occupied within the past five years, are also known within the mean dispersal distance of this project. Pygmy-owl surveys in compliance with the approved survey protocol have been conducted in the project area since 2002 with negative results. The project site is within proposed critical habitat and recovery areas for the pygmy-owl.

The proposed action entails: 1) construction of a new traffic interchange at I-10 and Twin Peaks Road; 2) construction of a new eastbound frontage road and modification of the westbound frontage road; 3) construction of a new roadway that would connect Twin Peaks Road to a new signalized intersection of Linda Vista Boulevard and Camino de Mafiana; 4) removal of the at-grade crossing of the Union Pacific Railroad; 5) reconstruction of Linda Vista Boulevard from the new intersection with Camino de Mafiana to approximately ¼ mile east; and 6) construction

of a business loop connecting the eastbound frontage road north of the new traffic interchange to Twin Peaks Road and back to the eastbound frontage road.

The development of this project could potentially result in two types of impacts to the pygmy-owl. The first type of impact is related to the removal of vegetation in an area that contains pygmy-owl habitat components suitable for nesting and connectivity. Removal or alteration of pygmy-owl habitat components can eliminate potential nesting sites and disrupt connectivity, adversely affecting the pygmy-owl's ability to reproduce and disperse. The second type of impact is related to potential noise disturbance resulting from the actual development activities. Intense, unfamiliar noises and an increase in human activities can adversely affect nesting or dispersing pygmy-owls. Noise disturbances could cause altered nesting or dispersal behavior resulting in increased risk of mortality. These impacts could result if construction occurs during the nesting or dispersal seasons.

The project site only supports suitable nesting habitat for pygmy-owls at the extreme eastern end along Camino de Mafiana and Linda Vista Boulevard. Any saguaros that need to be moved will be replaced at a 3:1 ratio (BE 5-21). Therefore, effects to nesting pygmy-owls are expected to be extremely limited. The site also provides habitat that could potentially be utilized by dispersing pygmy-owls. Potential dispersal habitat occurs within the Santa Cruz River channel, as well as Sonoran desert scrub areas in the eastern portion of the project area. Impacts to dispersal habitat will result from the removal of trees in each of these areas. In addition, the indirect effect of increased traffic along Camino de Mafiana and Linda Vista Boulevard has the potential to affect pygmy-owl dispersal across these roadways. Traffic along these roads is projected to increase to between 10 and 50 times the current existing traffic volumes. Replacement of trees removed in these areas is proposed at a 3:1 ratio (BE 5-21). With the proposed revegetation, a continuous area of tree cover will be established through the project limits (BE 5-21).

The potential impacts to pygmy-owls have been avoided or addressed by the project proponents. The following circumstances or measures will reduce potential effects to pygmy-owls:

- Effects to pygmy-owl nesting habitat will be minimal due to its limited occurrence within the project area and the proposed revegetation activities. Effects to dispersal habitat will be minimized and mitigated through avoidance and replacement of trees within the project area. The trees that remain on-site and the replacement trees will maintain habitat connectivity. The revegetation plan, when developed, will be reviewed by the Fish and Wildlife Service to ensure that both nesting and dispersal habitat values will be replaced and/or enhanced (pers. comm. Steve Thomas and Scott Stapp; 10/29/2004).
- Components of the revegetation plan will include reseedling of disturbed soils, replacement of all trees > 4 inches DBH at a 3:1 ratio, and irrigation and monitoring to ensure establishment and survival of the revegetation efforts.
- Pygmy-owl surveys have been completed for three consecutive years (2002 - 2004). The results of these surveys were negative. The likelihood that this project will result in the disturbance of pygmy-owls is very small. The majority of the project area does not support pygmy-owl nesting habitat, and disturbance impacts to breeding pygmy-owls are

unlikely. While pygmy-owls do occur within mean dispersal distance of this project, we are unaware of any nesting pairs within this distance.

- Project implementation could affect pygmy-owl habitat connectivity in the project area. Based on the proposed replacement of trees, habitat connectivity important to successful dispersal will be maintained or enhanced.
- The bottom of the new bridge will be approximately 20 feet above the low-flow channel of the Santa Cruz River. This should provide sufficient height to allow pygmy-owl movement under the bridge.

Considering the above measures and the information you have provided, we concur that the proposed action may affect, but is not likely to adversely affect the endangered cactus ferruginous pygmy-owl for the following reasons:

- Impacts to pygmy-owl habitat components, primarily large trees and saguaros, will be avoided or minimized through replacement; therefore, effects are insignificant.
- Breeding habitat is limited within the project and habitat connectivity for dispersal will be maintained; therefore, effects to breeding and dispersing pygmy-owls are discountable.

If project plans change, or if additional information becomes available about the distribution of listed species, this determination may be reconsidered. Should this occur, please contact us regarding the need for further consultation. In any future correspondence, please refer to consultation number 02-21-04-I-0419. If you have any questions, please contact Scott Richardson at (520) 670-6150 (x 242) or Sherry Barrett at (x 223).

Sincerely,


Steven L. Spangle
Field Supervisor

cc: Federal Highway Administration, Phoenix, AZ (Attn: Steve Thomas)
Army Corps of Engineers, Tucson, AZ (Attn: Marjorie Blaine)
Arizona Department of Transportation, Tucson, AZ (Attn: Melissa Maiefski)
Chief, Habitat Branch, Arizona Game and Fish Department, Phoenix, AZ
Regional Supervisor, Arizona Game and Fish Department, Tucson, AZ (Attn: Joan Scott)
Assistant Field Supervisor, Fish and Wildlife Service, Tucson, AZ

STAMINA Modeling Results and Comparison of Modeled Values with NAC and ADOT Noise Abatement Policy							
Receiver	NAC (dBA)	Modeled Existing (2004) (dBA)	Modeled Future (2030) (dBA)	Difference between existing and future	Approaches or Exceeds NAC in 2004 (yes/no)	Approaches or Exceeds NAC in 2030 (yes/no)	Substantial Increase between 2004-2030 (yes/no)
NR1	64	48	55	7	no	no	no
NR2	64	51	58	7	no	no	no
NR3	64	49	55	6	no	no	no
NR4	64	49	56	7	no	no	no
NR5	64	50	57	7	no	no	no
NR6	64	50	57	7	no	no	no
NR7	64	50	57	7	no	no	no
NR8	64	50	57	7	no	no	no
NR9	64	52	59	7	no	no	no
NR10	64	52	58	6	no	no	no
NR11	64	51	58	7	no	no	no
NR12	64	50	59	9	no	no	no
NR13	64	46	55	9	no	no	no
NR14	64	46	57	11	no	no	no
NR15	64	52	63	11	no	no	no
NR16	64	48	60	12	no	no	no
NR17	64	48	60	12	no	no	no
NR18	64	50	62	12	no	no	no
NR19	64	47	59	12	no	no	no
NR20	64	44	56	12	no	no	no
NR21	64	50	63	13	no	no	no
NR22	64	50	62	12	no	no	no
NR23	64	50	62	12	no	no	no
NR24	64	50	62	12	no	no	no
NR25	64	49	62	13	no	no	no
NR26	64	45	60	15	no	no	yes
NR26A	64	43	59	16	no	no	yes
NR27	64	42	58	16	no	no	yes
NR27A	64	41	57	16	no	no	yes
NR27B	64	41	56	15	no	no	yes
NR28	64	41	56	15	no	no	yes
NR28A	64	40	55	15	no	no	yes
NR29	64	40	55	15	no	no	yes
NR29A	64	40	54	14	no	no	no
NR29B	64	39	54	15	no	no	yes
NR29C	64	39	54	15	no	no	yes
NR29D	64	39	53	14	no	no	no
NR29E	64	39	53	14	no	no	no
NR30	64	38	52	14	no	no	no
NR30A	64	38	52	14	no	no	no
NR31	64	37	51	14	no	no	no

STAMINA Modeling Results and Comparison of Modeled Values with NAC and ADOT Noise Abatement Policy							
Receiver	NAC (dBA)	Modeled Existing (2004) (dBA)	Modeled Future (2030) (dBA)	Difference between existing and future	Approaches or Exceeds NAC in 2004 (yes/no)	Approaches or Exceeds NAC in 2030 (yes/no)	Substantial Increase between 2004-2030 (yes/no)
NR31A	64	37	51	14	no	no	no
NR31B	64	37	50	13	no	no	no
NR31C	64	37	50	13	no	no	no
NR31D	64	37	50	13	no	no	no
NR31E	64	36	50	14	no	no	no
NR31F	64	36	50	14	no	no	no
NR31G	64	36	49	13	no	no	no
NR32	64	36	49	13	no	no	no
NR32A	64	36	49	13	no	no	no
RS1	69	49	56	7	no	no	no
RS2	64	54	61	7	no	no	no
RS3	64	54	61	7	no	no	no
RS4	64	51	58	7	no	no	no
RS5	64	49	57	8	no	no	no
RS6	64	50	57	7	no	no	no
RS7	64	53	60	7	no	no	no
RS8	64	52	59	7	no	no	no
RS9	64	50	58	8	no	no	no
RS10	64	50	58	8	no	no	no
RS11	64	53	60	7	no	no	no
RS12	64	53	60	7	no	no	no
RS13	64	51	59	8	no	no	no
RS14	64	50	58	8	no	no	no
RS15	64	47	55	8	no	no	no
RS16	64	46	58	12	no	no	no
RS17	64	47	58	11	no	no	no
RS18	64	49	61	12	no	no	no
RS19	64	47	59	12	no	no	no
RS20	64	47	60	13	no	no	no
RS21	64	47	60	13	no	no	no
RS22	64	48	61	13	no	no	no
RS23	64	48	60	12	no	no	no
RS24	64	47	60	13	no	no	no
RS25	64	46	61	15	no	no	yes
RS26	64	47	64	17	no	yes	yes
RS27	64	43	60	17	no	no	yes
RS27A	64	41	58	17	no	no	yes
RS28	64	40	58	18	no	no	yes
RS28A	64	39	56	17	no	no	yes
RS28B	64	39	56	17	no	no	yes
RS28C	64	38	56	18	no	no	yes

STAMINA Modeling Results and Comparison of Modeled Values with NAC and ADOT Noise Abatement Policy							
Receiver	NAC (dBA)	Modeled Existing (2004) (dBA)	Modeled Future (2030) (dBA)	Difference between existing and future	Approaches or Exceeds NAC in 2004 (yes/no)	Approaches or Exceeds NAC in 2030 (yes/no)	Substantial Increase between 2004-2030 (yes/no)
RS29	64	38	55	17	no	no	yes
RS29A	64	38	55	17	no	no	yes
RS29B	64	37	54	17	no	no	yes
RS29C	64	37	55	18	no	no	yes
RS29D	64	37	55	18	no	no	yes
RS29E	64	36	53	17	no	no	yes
RS30	64	36	52	16	no	no	yes
I10F1	69	77	81	4	yes	yes	no
I10F2	69	76	80	4	yes	yes	no
I10F3	69	75	79	4	yes	yes	no
I10F4	69	74	79	5	yes	yes	no
I10F5	69	71	76	5	yes	yes	no
I10F6	69	71	76	5	yes	yes	no
I10F7	69	73	77	4	yes	yes	no
I10F8	69	75	79	4	yes	yes	no
I10F9	69	74	79	5	yes	yes	no
I10F10	69	76	80	4	yes	yes	no
I10F11	69	76	80	4	yes	yes	no
LVR1	64	53	67	14	no	yes	no
LVR2	64	46	55	9	no	no	no
LVR3	64	49	57	8	no	no	no
LVR4	64	59	62	3	no	no	no
LVR5	64	62	66	4	no	yes	no
LVR6	64	59	63	4	no	no	no
LVR7	64	61	65	4	no	yes	no
LVR8	64	61	65	4	no	yes	no
LVR9	64	61	65	4	no	yes	no
LVR10	64	63	67	4	no	yes	no
LVR11	64	63	67	4	no	yes	no
LVR12	64	65	69	4	yes	yes	no
LVR13	64	61	64	3	no	yes	no
LVR13A	64	60	63	3	no	no	no
LVR14	64	61	64	3	no	yes	no
LVR15	64	61	64	3	no	yes	no
LVR16	64	60	64	4	no	yes	no
LVR16A	64	57	61	4	no	no	no
LVR17	64	55	59	4	no	no	no
LVR18	64	56	58	2	no	no	no
LVR19	64	58	62	4	no	no	no
LVR20	64	58	62	4	no	no	no
LVR21	64	63	67	4	no	yes	no

STAMINA Modeling Results and Comparison of Modeled Values with NAC and ADOT Noise Abatement Policy							
Receiver	NAC (dBA)	Modeled Existing (2004) (dBA)	Modeled Future (2030) (dBA)	Difference between existing and future	Approaches or Exceeds NAC in 2004 (yes/no)	Approaches or Exceeds NAC in 2030 (yes/no)	Substantial Increase between 2004-2030 (yes/no)
LVR22	64	60	63	3	no	no	no
LVR23	64	60	63	3	no	no	no
LVR24	64	59	63	4	no	no	no
LVR25	64	58	62	4	no	no	no
LVR26	69	62	66	4	no	no	no

Appendix D

Cultural Resources Consultation Letters

SNPD- 2004 - 1346 (20785)



Janet Napolitano
Governor

Victor M. Mendez
Director

Arizona Department of Transportation
Intermodal Transportation Division
206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

July 26, 2004

Debra Brisk
Deputy Director

RECEIVED

JUL 27 2004

DJ 8/2/04
ARIZONA STATE PARKS/S.H.P.O.

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 W Washington
Phoenix, Arizona 85007

RE: Project No. 010-D(XXX)
TRACS No. 010 PM 236 H5838 01C
I-10 TI; Twin Peaks
Early Section 106 Consultation

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a new traffic interchange (TI) on Interstate 10 (I-10) at Milepost (MP) 242, north of the city of Tucson, Pima County. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Pascua Yaqui Tribe, the Tohono O'odham Nation, and the Hopi Tribe.

The scope of this project would involve the construction of a TI to connect Twin Peaks Road and Linda Vista Road to I-10. The project is currently in the early planning stages, and cultural resources consultation is being initiated in preparation for an Environmental Assessment (EA) for the project. The area of potential effect (APE) for this project has not been completely defined, as alternatives for the exact location of the TI are still being explored.

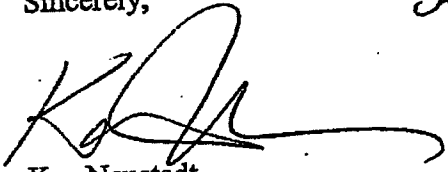
URS Corporation (URS) has reviewed previous cultural resource work within a ½-mile radius of the proposed TI. The majority of the area has been surveyed for cultural resources as a result of various separate undertakings along I-10. As the project area is better defined, a thorough review and survey of the APE will be completed. However, due to the size and number of cultural resources previously identified within the project area, it is unlikely that this project would be able to avoid all historic properties.

The I-10 corridor in Pima County between Tangerine Road and the I-10/ I-19 junction is covered by a Programmatic Agreement (PA) developed by FHWA, ADOT, SHPO, and the Advisory Council on Historic Preservation (Council), to address projects within that corridor that may impact historic properties (executed April 26, 1993). In addition, a monitoring and discovery plan, "Monitoring and

Discovery Plan for Interstate 10 from Tangerine Road to Junction I-10/I-19 Projects, Tucson" (Wocherl 1999) was prepared by Desert Archaeology and approved by SHPO (Miller [SHPO] to Laine [ADOT] December 21, 1999). FHWA/ADOT recommend this project proceed under the stipulations of the PA * and the guidelines identified in the approved monitoring and discovery plan to address any impacts this project would have on historic properties.

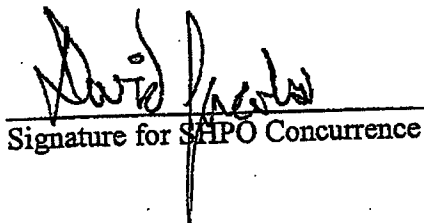
Stipulations II, III, IV
Please review the information provided in this letter. If you agree with FHWA/ADOT's * need to develop treatment plans for historic properties impacted recommendation that the project proceed under the current PA and approved monitoring and discovery plan, please indicate your concurrence by signing below. As more information regarding project scope and historic properties become available, FHWA/ADOT will provide them to the consulting parties under continued Section 106 consultation. If you have any questions or concerns, please feel free to contact me at 520-620-5410 or e-mail kneustadt@dot.state.az.us. Thank you.

Sincerely,

Stipulation VIII


Kae Neustadt
Historic Preservation Specialist
Arizona Department of Transportation
Environmental & Enhancement Group
1221 S. 2nd Ave, MD T100
Tucson, AZ 85713

current PA was written in 1993 - the National Historic Preservation Act has been revised three times since that point in time; we need to amend the current PA


Signature for SHPO Concurrence

12 AUGUST 04
Date

cc:
SThomas
PBleyl



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION
One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ 85004
July 29, 2004

IN REPLY REFER TO:
HA-AZ
NH-010-D(AIW)
TRACS No. 010 PM 236 H5838 01C
I-10; Twin Peaks TI
Early Section 106 Consultation

Mr. Peter Steere
Mr. Joseph Joaquin
Cultural Affairs Office
Tohono O'odham Nation
P. O. Box 837
Sells, Arizona 85634

Dear Messrs. Steere and Joaquin:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a new traffic interchange (TI) on Interstate 10 (I-10) at Milepost (MP) 242, north of the City of Tucson, Pima County. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Pascua Yaqui Tribe, the Tohono O'odham Nation, and the Hopi Tribe.

The scope of this project would involve the construction of a new TI to connect Twin Peaks Road and Linda Vista Road to I-10. The project is currently in the early planning stages, and cultural resources consultation is being initiated in preparation for an Environmental Assessment (EA) for the project. The area of potential effect (APE) for this project has not been completely defined, as alternatives for the exact location of the TI are still being explored.

URS Corporation (URS) has reviewed previous cultural resource work within a 1/4-mile radius of the proposed TI. The majority of the area has been surveyed for cultural resources as a result of various separate undertakings along I-10. As the project area is better defined, a thorough review and survey of the APE will be completed. However, due to the size and number of cultural resources previously identified within the project area, it is unlikely that this project would be able to avoid all historic properties.

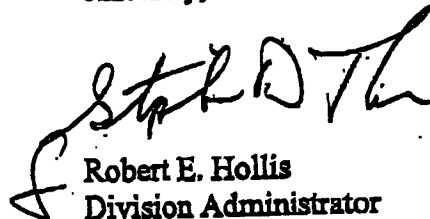
The I-10 corridor in Pima County between Tangerine Road and the I-10/ I-19 junction is covered by a Programmatic Agreement (PA) developed by FHWA, ADOT, SHPO, and the Advisory Council on Historic Preservation (Council), to address projects within that corridor that may impact historic properties (executed April 26, 1993). In addition, a monitoring and discovery

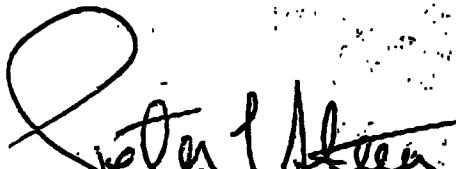
2004 AUG 20 PM 2:58

plan, "Monitoring and Discovery Plan for Interstate 10 from Tangerine Road to Junction I-10/I-19 Projects, Tucson" (Wocherl 1999) was prepared by Desert Archaeology and approved by SHPO (Miller [SHPO] to Laine [ADOT] December 21, 1999). FHWA recommends this project proceed under the stipulations of the PA and the guidelines identified in the approved monitoring and discovery plan to address any impacts this project would have on historic properties.

Please review the information provided in this letter. If you agree with FHWA's recommendation that the project proceed under the current PA and approved monitoring and discovery plan, please indicate your concurrence by signing below. As more information regarding project scope and historic properties become available, ADOT, on behalf of FHWA, will provide them to the consulting parties under continued Section 106 consultation. At this time, FHWA is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If you have any questions or concerns, please feel free to contact Kae Neustadt at 520-620-5410 or e-mail kneustadt@dot.state.az.us. Thank you.

Sincerely,


Robert E. Hollis
Division Administrator


Signature for Tohono O'odham Concurrence

August 12, 2004
Date



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
ARIZONA DIVISION

One Arizona Center, Suite 410
400 E. Van Buren St.
Phoenix, AZ. 85004

July 29, 2004

IN REPLY REFER TO:

HA-AZ

NH-010-D(AIW)

TRACS No. 010 PM 236 H5838 01C

I-10; Twin Peaks TI

Early Section 106 Consultation

Mr. Robert Valencia, Chairman
Pascua Yaqui Tribe
7474 S. Camino de Oeste
Tucson, Arizona 85746

Dear Chairman Valencia:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a new traffic interchange (TI) on Interstate 10 (I-10) at Milepost (MP) 242, north of the City of Tucson, Pima County. As this project employs federal funds, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Pascua Yaqui Tribe, the Tohono O'odham Nation, and the Hopi Tribe.

The scope of this project would involve the construction of a new TI to connect Twin Peaks Road and Linda Vista Road to I-10. The project is currently in the early planning stages, and cultural resources consultation is being initiated in preparation for an Environmental Assessment (EA) for the project. The area of potential effect (APE) for this project has not been completely defined, as alternatives for the exact location of the TI are still being explored.

URS Corporation (URS) has reviewed previous cultural resource work within a ½-mile radius of the proposed TI. The majority of the area has been surveyed for cultural resources as a result of various separate undertakings along I-10. As the project area is better defined, a thorough review and survey of the APE will be completed. However, due to the size and number of cultural resources previously identified within the project area, it is unlikely that this project would be able to avoid all historic properties.

The I-10 corridor in Pima County between Tangerine Road and the I-10/ I-19 junction is covered by a Programmatic Agreement (PA) developed by FHWA, ADOT, SHPO, and the Advisory Council on Historic Preservation (Council), to address projects within that corridor that may impact historic properties (executed April 26, 1993). In addition, a monitoring and discovery plan, "*Monitoring and Discovery Plan for Interstate 10 from Tangerine Road to Junction I-10/I-*

19 Projects, Tucson" (Wocherl 1999) was prepared by Desert Archaeology and approved by SHPO (Miller [SHPO] to Laine [ADOT] December 21, 1999). FHWA recommends this project proceed under the stipulations of the PA and the guidelines identified in the approved monitoring and discovery plan to address any impacts this project would have on historic properties.

Please review the information provided in this letter. If you agree with FHWA's recommendation that the project proceed under the current PA and approved monitoring and discovery plan, please indicate your concurrence by signing below. As more information regarding project scope and historic properties become available, ADOT, on behalf of FHWA, will provide them to the consulting parties under continued Section 106 consultation. At this time, FHWA is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If you have any questions or concerns, please feel free to contact Kae Neustadt at 520-620-5410 or e-mail kneustadt@dot.state.az.us. Thank you.

Sincerely,

STEPHEN D. THOMAS

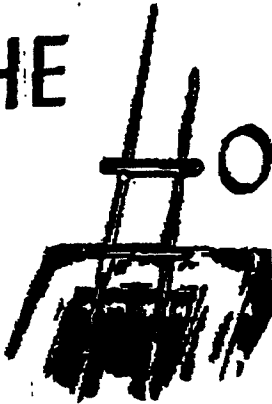
Robert E. Hollis
Division Administrator

Signature for Pascua Yaqui Concurrence

Date

cc:
SThomas
PBleyl
KNeustadt (T100)
SDT:cdm

THE HOPI TRIBE



Wayne Taylor, Jr.
CHAIRMAN

Caleb Johnson
VICE-CHAIRMAN

August 16, 2004

Robert E. Hollis, Division Administrator
U. S. Department of Transportation, Federal Highway Administration, Arizona Division
400 East Van Buren Street, Suite 410
Phoenix, Arizona 85004

Re: I-10 TI; Twin Peaks

Dear Mr. Hollis,

Thank you for correspondence dated July 29, 2004, regarding the Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) planning to construct a new traffic interchange on Interstate 10 at milepost 242 north of Tucson. As you know, the Hopi Tribe appreciates FHWA's and ADOT's continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office understands that a Programmatic Agreement for this project area was implemented in 1993, and a monitoring and discovery plan was developed in 1999. However, your letter states that "due to the size and number of cultural resources previously identified within the project area, it is unlikely that this project would be able to avoid all historic properties."

Therefore, we withhold our concurrence with the recommendation that the project proceed under the stipulations of the Programmatic Agreement and the guidelines identified in the approved monitoring and discovery plan, pending definition of the project area, and subsequent to the opportunity to review and comment on the through cultural resources review and survey, and any proposed site specific treatment plans.

If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office at 928-734-3619. Thank you for consulting with the Hopi Tribe.

Respectfully,


Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: Arizona State Historic Preservation Office

Kae Neustadt, ADOT, 205 South 17th Ave., Room 213E, Mail Drop 619E, Phoenix, AZ 85007-3213

P.O. BOX 123

KYKOTSMOVI, AZ.

86039

(928) 734-3000



U.S. Department
of Transportation
Federal Highway
Administration

COPY

Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

May 3, 2005

In Reply Refer To: HA-AZ
NH-010-D(AIW)

TRACS No. 010 PM 236 H5838 01D
I-10; Twin Peaks Traffic Interchange
Section 106 Consultation
"adverse effect"

Ms. Herminia Frias, Chair
Pascua Yaqui Tribe
7474 S. Camino de Oeste
Tucson, Arizona 85746

Dear Chairperson Frias:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning to construct a traffic interchange (TI) at the intersection of Interstate 10 (I-10) connecting I-10 with Twin Peaks Road to the west and Linda Vista Road to the east, within the Town of Marana, Pima County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Hopi Tribe, the Tohono O'odham Nation, and the Pascua Yaqui Tribe.

The scope of this project would involve the construction of a new TI connecting Twin Peaks Road and Linda Vista Road with I-10. New right of way (ROW) and temporary construction easements are anticipated for this project. The area of potential effect (APE) has not yet been defined, as alternatives for the intersection are still being evaluated. A preferred alternative has been identified, encompassing the existing and proposed new ROW of I-10, between mileposts (MP) 244 and 246.

The area surrounding the proposed alternatives was recently surveyed by URS Corporation (URS). The results are reported in "*Interstate 10 Traffic Interchange at Twin Peaks/ Linda Vista*" (Rogge et al. 2005) and are enclosed for your review and comment. Sixteen cultural resources were identified within the corridor encompassing the proposed alignments. These cultural resources are described in the table below.

Site Number	Description	NRHP Eligibility	Project Effect
AA:12:226 (ASM)	Colonial period Hohokam village	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:227 (ASM)	Hobokam artifact scatter	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:350	Historic-era habitation	Recommended eligible,	None; avoided by



(ASM)	site, c. 1900-1930	Criterion D	preferred alternative.
AA:12:370 (ASM)	Antonio Alvarez Homestead	Ineligible	Site destroyed, no evidence identified within survey area.
AA:12:956 (ASM)	Historic-era trash scatter, c. 1925-1930	Recommended ineligible	None
AA:12:52 (ASM)	Hohokam ceramic scatter	Recommended ineligible	Site destroyed, no evidence identified within survey area.
AA:12:146 (ASM)	Prehistoric artifact scatter	Recommended ineligible	None; site destroyed by previous data recovery.
AA:12:912 (ASM)	Hohokam artifact scatter	Recommended ineligible	None
AA:12:957 (ASM)	Cortaro-Marana Irrigation District Canal	Determined eligible, Criterion A	None; segment within project area recommended as non-contributing due to modifications and urban setting.
AA:12:952 (ASM)	Historic Red Rock Road	Recommended eligible, Criterion D	None; segment within project area recommended as non-contributing due to heavy disturbance.
AA:12:955 (ASM)	Historic-era water control features.	Recommended eligible, Criterion D	None; limited disturbance from preferred alternative would not effect significant characteristics
EE:3:53 (ASM)	Historic Alignment, Southern Pacific Railroad	Determined eligible, Criterion A	None; preferred alternative would not effect any significant characteristics.
AA:2:118 (ASM)	Historic Alignment, State Route 84	Eligible as part of Historic State Highway System	None; segment within project area recommended as non-contributing due to change in function and setting.
AA:12:51 (ASM)	Stewart Brickyard Site	Determined eligible, Criterion D.	Possible adverse effect.
None	Western Meat Packing Company (Stewart Block and Brick) Building	Recommended ineligible	None
None	Juan Bautista de Anza National Historic Trail	Unknown	None; no evidence of contributing elements identified within project area.

Because of the number of sites within the study corridor and the nature of the sites within the Santa Cruz River Valley, FHWA has determined that an "adverse effect" to historic properties is

likely. Previous consultation with SHPO recommended following the existing Programmatic Agreement (PA) in place for projects within the I-10 corridor between Junction I-19 and Tangerine Road (April 26, 1993) in order to mitigate this potential "adverse effect." SHPO concurred with this recommendation, with the comment that a separate treatment plan be developed to address this specific project's impacts to historic properties once the project's impacts are defined (Jacobs [SHPO] to Neustadt [ADOT] August 12, 2004). Upon review of SHPO's comments, FHWA has determined that this process would be appropriate for the project and recommends a treatment plan be developed.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and recommendation to develop a treatment plan to address this project's specific impacts, please indicate your concurrence by signing below. At this time, FHWA is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If you have any questions or concerns, please feel free to contact Kae Neustadt at 520-620-5410 or email kneustadt@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for PYT Concurrence

Date

Enclosure

cc:

Amalia Reyes, NAGPRA Coordinator, with enclosure

SThomas

PBleyl

KNeustadt (T100)

SDT:cdm



COPY

Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

May 3, 2005

In Reply Refer To: HA-AZ
NH-010-D(AIW)
TRACS No. 010 PM 236 H5838 01D
I-10; Twin Peaks Traffic Interchange
Section 106 Consultation
"adverse effect"

Peter Steere
Joseph Joaquin
Cultural Affairs Office
Tohono O'odham Nation
P.O. Box 837
Sells, Arizona 85634

Dear Messrs. Steere and Joaquin:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning a to construct a traffic interchange (TI) at the intersection of Interstate 10 (I-10) connecting I-10 with Twin Peaks Road to the west and Linda Vista Road to the east, within the Town of Marana, Pima County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Hopi Tribe, the Tohono O'odham Nation, and the Pascua Yaqui Tribe.

The scope of this project would involve the construction of a new TI connecting Twin Peaks Road and Linda Vista Road with I-10. New right of way (ROW) and temporary construction easements are anticipated for this project. The area of potential effect (APE) has not yet been defined, as alternatives for the intersection are still being evaluated. A preferred alternative has been identified, encompassing the existing and proposed new ROW of I-10, between mileposts (MP) 244 and 246.

The area surrounding the proposed alternatives was recently surveyed by URS Corporation (URS). The results are reported in "*Interstate 10 Traffic Interchange at Twin Peaks/ Linda Vista*" (Rogge et al. 2005) and are enclosed for your review and comment. Sixteen cultural resources were identified within the corridor encompassing the proposed alignments. These cultural resources are described in the table below.

Site Number	Description	NRHP Eligibility	Project Effect
AA:12:226 (ASM)	Colonial period Hohokam village	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:227 (ASM)	Hohokam artifact scatter	Recommended eligible, Criterion D	None; avoided by preferred alternative.



AA:12:350 (ASM)	Historic-era habitation site, c. 1900-1930	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:370 (ASM)	Antonio Alvarez Homestead	Ineligible	Site destroyed, no evidence identified within survey area.
AA:12:956 (ASM)	Historic-era trash scatter, c. 1925-1930	Recommended ineligible	None
AA:12:52 (ASM)	Hohokam ceramic scatter	Recommended ineligible	Site destroyed, no evidence identified within survey area.
AA:12:146 (ASM)	Prehistoric artifact scatter	Recommended ineligible	None; site destroyed by previous data recovery.
AA:12:912 (ASM)	Hohokam artifact scatter	Recommended ineligible	None
AA:12:957 (ASM)	Cortaro-Marana Irrigation District Canal	Determined eligible, Criterion A	None; segment within project area recommended as non-contributing due to modifications and urban setting.
AA:12:952 (ASM)	Historic Red Rock Road	Recommended eligible, Criterion D	None; segment within project area recommended as non-contributing due to heavy disturbance.
AA:12:955 (ASM)	Historic-era water control features.	Recommended eligible, Criterion D	None; limited disturbance from preferred alternative would not effect significant characteristics
EE:3:53 (ASM)	Historic Alignment, Southern Pacific Railroad	Determined eligible, Criterion A	None; preferred alternative would not effect any significant characteristics.
AA:2:118 (ASM)	Historic Alignment, State Route 84	Eligible as part of Historic State Highway System	None; segment within project area recommended as non-contributing due to change in function and setting.
AA:12:51 (ASM)	Stewart Brickyard Site	Determined eligible, Criterion D.	Possible adverse effect.
None	Western Meat Packing Company (Stewart Block and Brick) Building	Recommended ineligible	None
None	Juan Bautista de Anza National Historic Trail	Unknown	None; no evidence of contributing elements identified within project area.

Because of the number of sites within the study corridor and the nature of the sites within the Santa Cruz River Valley, FHWA has determined that an "adverse effect" to historic properties is likely. Previous consultation with SHPO recommended following the existing Programmatic Agreement (PA) in place for projects within the I-10 corridor between Junction I-19 and Tangerine Road (April 26, 1993) in order to mitigate this potential "adverse effect." SHPO concurred with this recommendation, with the comment that a separate treatment plan be developed to address this specific project's impacts to historic properties once the project's impacts are defined (Jacobs [SHPO] to Neustadt [ADOT] August 12, 2004). Upon review of SHPO's comments, FHWA has determined that this process would be appropriate for the project and recommends a treatment plan be developed.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and recommendation to develop a treatment plan to address this project's specific impacts, please indicate your concurrence by signing below. At this time, FHWA is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If you have any questions or concerns, please feel free to contact Kae Neustadt at 520-620-5410 or email kneustadt@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for TON Concurrence

Date

Enclosure

cc:
SThomas
PBleyl
KNeustadt (T100)
SDT:cdm



COPY

Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

May 3, 2005

In Reply Refer To: HA-AZ
NH-010-D(AIW)
TRACS No. 010 PM 236 H5838 01D
I-10; Twin Peaks Traffic Interchange
Section 106 Consultation
"adverse effect"

Mr. Leigh Kuwanwisiwma
Cultural Preservation Office
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Kuwanwisiwma:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning a to construct a traffic interchange (TI) at the intersection of Interstate 10 (I-10) connecting I-10 with Twin Peaks Road to the west and Linda Vista Road to the east, within the Town of Marana, Pima County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Hopi Tribe, the Tohono O'odham Nation, and the Pascua Yaqui Tribe.

The scope of this project would involve the construction of a new TI connecting Twin Peaks Road and Linda Vista Road with I-10. New right of way (ROW) and temporary construction easements are anticipated for this project. The area of potential effect (APE) has not yet been defined, as alternatives for the intersection are still being evaluated. A preferred alternative has been identified, encompassing the existing and proposed new ROW of I-10, between mileposts (MP) 244 and 246.

The area surrounding the proposed alternatives was recently surveyed by URS Corporation (URS). The results are reported in "*Interstate 10 Traffic Interchange at Twin Peaks/ Linda Vista*" (Rogge et al. 2005) and are enclosed for your review and comment. Sixteen cultural resources were identified within the corridor encompassing the proposed alignments. These cultural resources are described in the table below.

Site Number	Description	NRHP Eligibility	Project Effect
AA:12:226 (ASM)	Colonial period Hohokam village	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:227 (ASM)	Hohokam artifact scatter	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:350	Historic-era habitation	Recommended eligible,	None; avoided by



(ASM)	site, c. 1900-1930	Criterion D	preferred alternative.
AA:12:370 (ASM)	Antonio Alvarez Homestead	Ineligible	Site destroyed, no evidence identified within survey area.
AA:12:956 (ASM)	Historic-era trash scatter, c. 1925-1930	Recommended ineligible	None
AA:12:52 (ASM)	Hohokam ceramic scatter	Recommended ineligible	Site destroyed, no evidence identified within survey area.
AA:12:146 (ASM)	Prehistoric artifact scatter	Recommended ineligible	None; site destroyed by previous data recovery.
AA:12:912 (ASM)	Hohokam artifact scatter	Recommended ineligible	None
AA:12:957 (ASM)	Cortaro-Marana Irrigation District Canal	Determined eligible, Criterion A	None; segment within project area recommended as non-contributing due to modifications and urban setting.
AA:12:952 (ASM)	Historic Red Rock Road	Recommended eligible, Criterion D	None; segment within project area recommended as non-contributing due to heavy disturbance.
AA:12:955 (ASM)	Historic-era water control features.	Recommended eligible, Criterion D	None; limited disturbance from preferred alternative would not effect significant characteristics
EE:3:53 (ASM)	Historic Alignment, Southern Pacific Railroad	Determined eligible, Criterion A	None; preferred alternative would not effect any significant characteristics.
AA:2:118 (ASM)	Historic Alignment, State Route 84	Eligible as part of Historic State Highway System	None; segment within project area recommended as non-contributing due to change in function and setting.
AA:12:51 (ASM)	Stewart Brickyard Site	Determined eligible, Criterion D.	Possible adverse effect.
None	Western Meat Packing Company (Stewart Block and Brick) Building	Recommended ineligible	None
None	Juan Bautista de Anza National Historic Trail	Unknown	None; no evidence of contributing elements identified within project area.

Because of the number of sites within the study corridor and the nature of the sites within the Santa Cruz River Valley, FHWA has determined that an "adverse effect" to historic properties is

likely. Previous consultation with SHPO recommended following the existing Programmatic Agreement (PA) in place for projects within the I-10 corridor between Junction I-19 and Tangerine Road (April 26, 1993) in order to mitigate this potential "adverse effect." SHPO concurred with this recommendation, with the comment that a separate treatment plan be developed to address this specific project's impacts to historic properties once the project's impacts are defined (Jacobs [SHPO] to Neustadt [ADOT] August 12, 2004). Upon review of SHPO's comments, FHWA has determined that this process would be appropriate for the project and recommends a treatment plan be developed.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and recommendation to develop a treatment plan to address this project's specific impacts, please indicate your concurrence by signing below. At this time, FHWA is also inquiring whether you have any concerns regarding historic properties of religious or cultural importance to your community within the project area. If you have such concerns, any information you might provide within 30 days of receipt of this letter would be considered in the project planning. If you have any questions or concerns, please feel free to contact Kae Neustadt at 520-620-5410 or email kneustadt@azdot.gov.

Sincerely yours,

Robert E. Hollis
Division Administrator

Signature for Hopi Concurrence

Date

Enclosure

cc:
SThomas
PBleyl
KNeustadt (T100)
SDT:cdm



U.S. Department
of Transportation
Federal Highway
Administration

COPY

Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

May 3, 2005

In Reply Refer To: HA-AZ
NH-010-D(AIW)
TRACS No. 010 PM 236 H5838 01D
I-10; Twin Peaks Traffic Interchange
Section 106 Consultation
"adverse effect"

Mr. Steve Ross, Cultural Resource Manager
Arizona State Land Department
1616 W. Adams
Phoenix, Arizona 85007

Dear Mr. Ross:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning a to construct a traffic interchange (TI) at the intersection of Interstate 10 (I-10) connecting I-10 with Twin Peaks Road to the west and Linda Vista Road to the east, within the Town of Marana, Pima County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Hopi Tribe, the Tohono O'odham Nation, and the Pascua Yaqui Tribe.

The scope of this project would involve the construction of a new TI connecting Twin Peaks Road and Linda Vista Road with I-10. New right of way (ROW) and temporary construction easements are anticipated for this project. The area of potential effect (APE) has not yet been defined, as alternatives for the intersection are still being evaluated. A preferred alternative has been identified, encompassing the existing and proposed new ROW of I-10, between mileposts (MP) 244 and 246.

The area surrounding the proposed alternatives was recently surveyed by URS Corporation (URS). The results are reported in "*Interstate 10 Traffic Interchange at Twin Peaks/ Linda Vista*" (Rogge et al. 2005) and are enclosed for your review and comment. Sixteen cultural resources were identified within the corridor encompassing the proposed alignments. These cultural resources are described in the table below.

Site Number	Description	NRHP Eligibility	Project Effect
AA:12:226 (ASM)	Colonial period Hohokam village	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:227 (ASM)	Hohokam artifact scatter	Recommended eligible, Criterion D	None; avoided by preferred alternative.
AA:12:350	Historic-era habitation	Recommended eligible,	None; avoided by



(ASM)	site, c. 1900-1930	Criterion D	preferred alternative.
AA:12:370 (ASM)	Antonio Alvarez Homestead	Ineligible	Site destroyed, no evidence identified within survey area.
AA:12:956 (ASM)	Historic-era trash scatter, c. 1925-1930	Recommended ineligible	None
AA:12:52 (ASM)	Hohokam ceramic scatter	Recommended ineligible	Site destroyed, no evidence identified within survey area.
AA:12:146 (ASM)	Prehistoric artifact scatter	Recommended ineligible	None; site destroyed by previous data recovery.
AA:12:912 (ASM)	Hohokam artifact scatter	Recommended ineligible	None
AA:12:957 (ASM)	Cortaro-Marana Irrigation District Canal	Determined eligible, Criterion A	None; segment within project area recommended as non-contributing due to modifications and urban setting.
AA:12:952 (ASM)	Historic Red Rock Road	Recommended eligible, Criterion D	None; segment within project area recommended as non-contributing due to heavy disturbance.
AA:12:955 (ASM)	Historic-era water control features.	Recommended eligible, Criterion D	None; limited disturbance from preferred alternative would not effect significant characteristics
EE:3:53 (ASM)	Historic Alignment, Southern Pacific Railroad	Determined eligible, Criterion A	None; preferred alternative would not effect any significant characteristics.
AA:2:118 (ASM)	Historic Alignment, State Route 84	Eligible as part of Historic State Highway System	None; segment within project area recommended as non-contributing due to change in function and setting.
AA:12:51 (ASM)	Stewart Brickyard Site	Determined eligible, Criterion D.	Possible adverse effect.
None	Western Meat Packing Company (Stewart Block and Brick) Building	Recommended ineligible	None
None	Juan Bautista de Anza National Historic Trail	Unknown	None; no evidence of contributing elements identified within project area.

Because of the number of sites within the study corridor and the nature of the sites within the Santa Cruz River Valley, FHWA has determined that an "adverse effect" to historic properties is

likely. Previous consultation with SHPO recommended following the existing Programmatic Agreement (PA) in place for projects within the I-10 corridor between Junction I-19 and Tangerine Road (April 26, 1993) in order to mitigate this potential "adverse effect." SHPO concurred with this recommendation, with the comment that a separate treatment plan be developed to address this specific project's impacts to historic properties once the project's impacts are defined (Jacobs [SHPO] to Neustadt [ADOT] August 12, 2004). Upon review of SHPO's comments, FHWA has determined that this process would be appropriate for the project and recommends a treatment plan be developed.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and recommendation to develop a treatment plan to address this project's specific impacts, please indicate your concurrence by signing below. FHWA understands that ASLD may not reply, as no application for ASLD ROW has been filed for this project. Should ASLD land be required for this project, FHWA would contact ASLD when an application has been filed. If you have any questions or concerns, please feel free to contact Kae Neustadt at 520-620-5410 or email kneustadt@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

Robert E. Hollis
Division Administrator

Signature for ASLD Concurrence

Date

Enclosure

cc:
SThomas
PBleyl
KNeustadt (T100)
SDT:cdm



COPY

Arizona Division
400 East Van Buren Street
One Arizona Center Suite 410
Phoenix, Arizona 85004-2264

May 3, 2005

In Reply Refer To: HA-AZ
NH-010-D(AIW)
TRACS No. 010 PM 236 H5838 01D
I-10; Twin Peaks Traffic Interchange
Section 106 Consultation
"adverse effect"

David Jacobs, Ph.D.
Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 W. Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are planning a to construct a traffic interchange (TI) at the intersection of Interstate 10 (I-10) connecting I-10 with Twin Peaks Road to the west and Linda Vista Road to the east, within the Town of Marana, Pima County. As this project is qualified for federal funding, it is considered an undertaking subject to Section 106 review. This project occurs on ADOT owned land and ADOT easement across Arizona State Trust land administered by the Arizona State Land Department (ASLD). Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), ASLD, the Hopi Tribe, the Tohono O'odham Nation, and the Pascua Yaqui Tribe.

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(ASM)	scatter	Criterion D	preferred alternative.	
AA:12:350 (ASM)	Historic-era habitation site, c. 1900-1930	Recommended eligible, Criterion D	None; avoided by preferred alternative.	
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AA:12:51 (ASM)	Stewart Brickyard Site	Determined eligible, Criterion D.	Possible adverse effect.	
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None	Juan Bautista de Anza National Historic Trail	Unknown	None; no evidence of contributing elements identified within project area.	

Because of the number of sites within the study corridor and the nature of the sites within the Santa Cruz River Valley, FHWA has determined that an "adverse effect" to historic properties is likely. Previous consultation with SHPO recommended following the existing Programmatic Agreement (PA) in place for projects within the I-10 corridor between Junction I-19 and Tangerine Road (April 26, 1993) in order to mitigate this potential "adverse effect." SHPO concurred with this recommendation, with the comment that a separate treatment plan be developed to address this specific project's impacts to historic properties once the project's impacts are defined (Jacobs [SHPO] to Neustadt [ADOT] August 12, 2004). Upon review of SHPO's comments, FHWA has determined that this process would be appropriate for the project and recommends a treatment plan be developed.

Please review the enclosed report and the information provided in this letter. If you find the report adequate and agree with FHWA's eligibility recommendations and recommendation to develop a treatment plan to address this project's specific impacts, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Kae Neustadt at 520-620-5410 or email kneustadt@azdot.gov.

Sincerely yours,

STEPHEN D. THOMAS

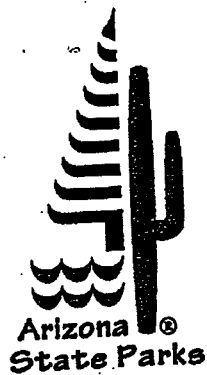
Robert E. Hollis
Division Administrator

Signature for SHPO Concurrence

Date

Enclosure

cc:
SThomas
PBleyl
KNeustadt (T100)
SDT:cdm



May 12, 2005

Kae Neustadt
Historic Preservation Specialist
Environmental Planning Group
Arizona Department of Transportation
1221 South 2nd Avenue, MD T100
Tucson, AZ 85713

RE: HA-AZ, NH-010-D(AIW)
TRACS #: 010 PM 236 H5838 01D
I-10. Twin Peaks Traffic Interchange
Section 106 Consultation
SHPO-2004-1346 (23950)

Janet Napolitano
Governor

State Parks
Board Members

Chair
Elizabeth Stewart
Tempe

William C. Porter
Kingman

William Cordasco
Flagstaff

Janice Chilton
Payson

William C. Scalzo
Phoenix

John U. Hays
Yarnell

Mark Winkleman
State Land
Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

Dear Ms. Neustadt:

Thank you for consulting with the State Historic Preservation Office (SHPO) pursuant to Section 106 of the National Historic Preservation Act as implemented by 36 CFR Part 800 regarding the roadway improvements along I-10 at the intersection with Twin Peaks Road to the west and Linda Vista Road to the east in the Town of Marana, Pima County, and submitting a cultural resources survey and recommendations for review and comment. Dr. Bill Collins, Deputy SHPO/Historian, and I have reviewed the submitted materials and offer the following comments.

The submitted survey [*Cultural Resource Survey for the Proposed Interstate 10 Traffic Interchange at Twin Peaks Road and Linda Vista Boulevard, Marana, Arizona*] is adequate. With the exception of AZ AA:2:118 (ASM), the historic alignment of State Route 84, we agree with FHWA/ADOT's eligibility recommendations. The segment of the historic alignment of SR 84 within the project area does contribute to the eligibility of AZ AA:2:118 (ASM), a site eligible as part of the Historic State Highway System under Criterion D. Its location has not changed, and it still serves as a transportation structure. We agree with the finding of "adverse effect" and the need for the development of a treatment plan to address this specific project's impacts to historic properties.

We appreciate your cooperation with this office in considering the potential impacts of federal development on cultural resources situated in Arizona. If you have any questions or comments, please contact me at (602) 542-7140 or electronically at djacobs@pr.state.az.us.

Sincerely,

David Jacobs
Compliance Specialist/Archaeologist
State Historic Preservation Office

PROGRAMMATIC AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,
THE ARIZONA DEPARTMENT OF TRANSPORTATION,
THE ARIZONA STATE HISTORIC PRESERVATION OFFICER,
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE

INTERSTATE 10 TANGERINE ROAD TO JUNCTION I-10/I-19 PROJECTS

WHEREAS, the Federal Highway Administration (FHWA) proposes to improve Interstate 10 between Tangerine Road and the junction of Interstates 10 and 19 in Tucson, Pima County, Arizona as a multiphase construction project (Project) to be completed as a sequential series of limited segments, and

WHEREAS, FHWA, as the lead agency responsible for compliance under Section 106 of the National Historic Preservation Act (16 USC 470f) for the project, as authorized by 43 CFR 2800, and the Arizona Department of Transportation (ADOT), as agent for FHWA, have participated in consultation, and

WHEREAS, FHWA has determined that the Project may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places, and has consulted with the Arizona State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to 36 CFR 800.13 regarding implementation of Section 106 of the National Historic Preservation Act, and

WHEREAS, this Agreement addresses all phases and segments of the Project,

NOW, THEREFORE, FHWA, ADOT, SHPO, and Council agree that the Project shall be administered in accordance with the following stipulations in order to satisfy Section 106 responsibilities for all aspects of the Project.

STIPULATIONS

FHWA shall ensure that the following measures will be carried out.

I. INVENTORY, EVALUATION, AND EFFECT DETERMINATION

- A. FHWA, represented by ADOT, will assure the completion of a historic properties inventory of the proposed highway right-of-way. FHWA will ensure that this inventory shall be conducted in a manner consistent with the Secretary of Interior's Standards and Guidelines for Identification of Historic Places. FHWA will further ensure that any additional staging or use areas related to this undertaking shall be inventoried in a manner consistent with the right-of-way inventory. Report(s) of the results of any and all inventories shall be submitted to the SHPO for review and comment.
- B. FHWA, in consultation with SHPO, shall ensure that determinations of eligibility are made in accordance with 36 CFR 800.4(c) for all historic properties within the Project right-of-way, including any additional staging or use areas. Further, FHWA shall seek comments from all potentially interested Native American groups pursuant to National Register Bulletin 38 in making determinations of eligibility for any identified Traditional Cultural Properties as these are defined in the Bulletin.
- C. FHWA shall apply the criteria of Effect and of Adverse Effect in 36 CFR 800.9 to all historic properties within the Project right-of-way, including any additional staging or use areas. If FHWA and SHPO agree that any portion(s) of the undertaking shall have no effect on any listed or eligible properties, FHWA may provide authorization to proceed with construction in such area(s), subject to the conditions of any Monitoring Plan developed for the Project.
- D. FHWA will seek public comment on the effects of the undertaking on historic properties in coordination with its procedures for implementing the National Environmental Policy Act (NEPA).
- E. FHWA will seek the comments of all interested Native American groups, taking into account the Council's policy statement of September 27, 1988, regarding determinations of effect where human remains are likely to be encountered during data recovery mitigation.
- F. FHWA will identify those Native American Tribes having a potential for claiming cultural and/or ancestral affinity within the Project area under the provisions of the Arizona Antiquities Act, ARS 41-844. Further, FHWA will attempt to resolve any disputed claims and, upon resolution of any such disputes, consult with claimants regarding appropriate procedures for the recovery, analysis, treatment and disposition of human remains, associated grave goods, and objects of cultural patrimony in accordance with the provisions of the Arizona Antiquities Act ARS 41-844 and with any implementing regulations.

II. PREPARATION OF A TREATMENT PLAN

- A. FHWA, in cooperation with ADOT, and in consultation with SHPO, shall ensure that a Treatment Plan is developed for the mitigation of anticipated effects on historic properties that will result from the Project and any related uses and activities. Further, FHWA, in cooperation with ADOT, and in consultation with SHPO, will ensure the development of location and property specific Data Recovery Plans for each individual phase or segment of the Project that will be considered as Supplements to the Treatment Plan.
- B. The Treatment Plan shall be consistent with the Secretary of Interior's Standards and Guidelines (48 FR 44716-44742), and the Council's handbook Treatment of Archaeological Properties.
- C. The Treatment Plan shall specify, at a minimum:
 1. The historic properties to be affected by the project as a whole and the nature of those effects.
 2. A Research Design that will contain the research questions and goals that are applicable to the Project area as a whole and that will be addressed through data recovery, along with an explanation of their relevance and importance. These research questions and goals shall reflect the concept of historic contexts as defined in National Register Bulletin 16 and shall take into consideration any such historic contexts established for the Project area.
 3. Fieldwork and analytical methods and strategies applicable to the Project area as a whole, along with an explanation of their relevance to the research questions. Such treatment methods will be developed for each class of historic property identified in the Project inventory.
 4. Proposed procedures for dealing with discovery situations.
 5. Methods to be used in data management and dissemination of data.
 6. Methods and procedures for the recovery, analysis, treatment and disposition of human remains, associated grave goods, and objects of cultural patrimony that reflect any concerns and/or conditions identified as a result of consultations between FHWA and any affected Native American group.
- D. Each phase or segment specific Data Recovery Plan shall represent a dependent plan and document supplement to the Treatment Plan providing specific direction for the conduct of Data Recovery within any given Project segment. It shall conform to the general requirements of the Treatment Plan. At a minimum, it shall specify:
 1. The historic properties to be affected in the specified Project segment and the nature of those effects.

2. The research questions identified in the Treatment Plan that will be appropriate for the specified Project segment and that will be addressed through data recovery, along with any additional research questions compatible with the Treatment Plan and an explanation of their relevance to the overall research goals as established in the Treatment Plan.
3. The specific fieldwork and analytical strategies identified in the Treatment Plan, as well as any other strategies that will be employed in the specified Project segment.
4. A proposed schedule for submission of progress, summary, and other reports.
5. Qualification of consultants employed to undertake the implementation of the Data Recovery Plan.

III. COMMENT ON THE TREATMENT PLAN AND DATA RECOVERY PLAN(S)

- A. Upon receipt of a draft of the Treatment Plan or of any Data Recovery Plan, FHWA will submit such drafts concurrently to SHPO and the Council for review. Both reviewing parties will have 30 days upon receipt to review and provide comments to FHWA. If either party fails to submit comments within 30 days, FHWA shall assume that party's concurrence. If either party has an objection to the Plan, they shall notify FHWA within the 30-day review period. The objection must be specifically identified and the reasons for objection documented. FHWA shall consult with the objecting party(s) to resolve the objection. If the objection cannot be resolved, FHWA shall consult with the Council in accordance with Stipulation VII.
- B. If revisions are needed, any party, including SHPO, has 20 days from receipt to review the revisions. If no comments are received within 20 days, concurrence among the parties will be assumed.
- C. Once the Treatment Plan is determined adequate by the reviewing parties, FHWA shall issue authorization to proceed with the development of the Data Recovery Plan(s).
- D. Once the Data Recovery Plan(s) is determined adequate by the reviewing parties, FHWA shall issue authorization to proceed with the implementation of the Plan.
- E. Final drafts of the Treatment Plan and all subsequent and supplemental Data Recovery Plan(s) will be provided to SHPO and the Council.

IV. CONSTRUCTION

- A. FHWA, in consultation with SHPO, shall prepare a Monitoring Plan to ensure that historic properties are not affected by construction related activities. This Monitoring Plan shall be incorporated into the Treatment Plan and shall specify the location of all identified properties and the means by which they will be marked and avoided if construction is allowed in nearby portions of the right-of-way. The Monitoring Plan shall also address discovery situations, including methods proposed for recording such discoveries. It shall also address methods for consultation to determine an appropriate course of treatment for discovered properties. Monthly progress reports regarding monitoring activities will be submitted by FHWA to SHPO.
- B. FHWA, in consultation with SHPO, may issue authorization to proceed with construction in those portions of the right-of-way that contain historic properties once the agreed upon fieldwork/treatment specified in the Treatment Plan and Data Recovery Plan(s) has been completed, subject to acceptance of the adequacy of the work performed under those Plans. FHWA acceptance will be based on field inspection and review of a Preliminary Report documenting the accomplishment of the Treatment Plan and Data Recovery Plan(s).

V. CHANGES IN CONSTRUCTION CORRIDORS AND ANCILLARY AREAS

- A. If during the course of construction planning, a reroute of a portion of the proposed right-of-way or a previously unidentified staging or use area is determined to be necessary, FHWA shall ensure that the area of potential effect is inventoried in a manner consistent with the prior right-of-way inventory and the standards identified in Stipulation I. A report of the findings of such inventories and any resultant Data Recovery Plans, as appropriate, shall be submitted to SHPO for review. The Data Recovery Plan(s) for historic properties within the reroute or additional staging or use area will be consistent with the Treatment Plan and, once accepted, will be considered a supplement to the Treatment Plan.
- B. Where historic properties will be affected, FHWA shall consult with SHPO on the adequacy of the inventory and on determinations of eligibility and any proposed Data Recovery Plan(s) for any properties identified in such additional areas. SHPO will provide comment within 30 days of receipt. If no such comment is received within 30 days, FHWA shall assume concurrence. If FHWA and SHPO agree to the adequacy of the documentation, FHWA will be allowed to proceed with the implementation of the Data Recovery Plan(s), as appropriate. Objections to any elements of the documentation must be specifically identified and the reasons for objection documented. If the objection cannot be resolved, FHWA shall consult with the Council in accordance with Stipulation VII.
- C. If revisions are needed, any party, including SHPO, has 20 days from receipt to review the revisions. If no comments are received within 20 days, concurrence among the parties will be assumed.

-

VI. CURATION

FHWA shall ensure that all records and materials resulting from identification and data recovery efforts are curated in accordance with standards and guidelines generated by the Arizona State Museum and in consideration of any claims or conditions recognized as a result of consultation with affected Native American groups according to the provisions of the Arizona Antiquities Act. All material to be returned to their owners or otherwise repatriated will be treated with dignity and respect and consideration for the specific cultural religious traditions applicable until their analysis is complete and they are returned.

VII. DISPUTE RESOLUTION

Should any party of this agreement or any affected public or Tribal group object within 30 days to any action(s) or plans provided for review pursuant to this Agreement, FHWA shall consult with the objecting party to resolve the objection. If FHWA determines that the objection cannot be resolved, FHWA shall forward all documentation relevant to the dispute to the Council and notify SHPO as to the nature of the dispute. Within 30 days of receipt of all pertinent documentation, The Council shall either:

- A. Provide FHWA with recommendations, which FHWA shall take into consideration in reaching a final decision regarding the dispute; or
- B. Notify FHWA that it will comment within an additional 30 days in accordance with 36 CFR 800.6(b). Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR 800.6(c)(2) with reference to the subject of the dispute.

Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; FHWA responsibility to carry out all actions under this Agreement that are not the subject of the dispute will remain unchanged.

VIII. AMENDMENT

Any party to this Agreement may request that it be amended, whereupon the parties will consult to consider such amendment in accordance with 36 CFR 800.13.

IX. TERMINATION

Any party of this Agreement may terminate its participation by providing 30 days' written notice to the other parties, provided that the parties will consult during that period to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FHWA will comply with 36 CFR 800.4 through 800.6.

X. FAILURE TO CARRY OUT THE TERMS OF THE AGREEMENT

In the event that the terms of this Agreement are not carried out, FHWA shall comply with 36 CFR 800.4 through 800.6 with regard to individual actions covered by this Agreement.

XI. SCOPE OF AGREEMENT

This Agreement is limited in Scope to the Interstate 10 Tangerine Road to junction I-10 and I-19 project and its related facilities and is entered into solely for that purpose.

Execution and implementation of this Agreement evidences that FHWA has afforded the Council an opportunity to comment and has, therefore, satisfied their Section 106 responsibilities for all individual actions of this undertaking.

Federal Highway Administration

By:

Paul Hueste

Date:

5 MARCH 1993

Title:

DIVISION ADMINISTRATOR

State Historic Preservation Officer

By:

James Orrison

Date:

3/27/93

Title:

SHPO

Arizona Department of Transportation

By:

Ray K. Robinson

Date:

3/5/93

Title:

State Engineer

Advisory Council on Historic Preservation

By:

Robert L. Bush

Date:

4/26/93

Title:

Executive Director

654EN



TOWN OF MARANA
ADMINISTRATIVE SERVICES



June 20, 2005

Division Administrator
One Arizona Center, Suite 410
400 East Van Buren Street
Phoenix, AZ 85004-2285

ATTN: Mr. Robert E. Hollis

RE: **I-10/LINDA VISTA/TWIN PEAKS TRAFFIC INTERCHANGE (TI); TOWN
OF MARANA PROJECT NO.: 2001-44; ADOT PROJECT NO.: 010-D(AIW);
TRACS NO.: 10PM 236 H5838 01C; IMPACTS TO SANTA CRUZ RIVER
PARK**

Dear Mr. Hollis:

The Town of Marana Parks and Recreation Department is aware that the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) in cooperation with the Town of Marana is developing design concepts and conducting environmental analyses which may lead to the design and construction of a new traffic interchange (TI) on Interstate 10 (I-10) (Twin Peaks Road TI). The proposed new Twin Peaks Road TI is located approximately midway between the Avra Valley Road TI and the Cortaro Farms Road TI and is proposed to connect Twin Peaks Road on the west and Linda Vista Road on the east. We have been involved with the project since its inception and we will continue to be involved in the project.

A facility under the management of the Marana Parks and Recreation Department, the Santa Cruz River Shared Use Path, intersects the proposed extension of Twin Peaks Road west of the Santa Cruz River. The intent of this letter is to present our understanding of the Twin Peaks Road TI impacts to the Santa Cruz River Shared Use Path and document our support for the project and the proposed mitigation of impacts to the path.

The Santa Cruz River Shared Use Path provides a 14-foot wide paved path for walking, hiking and bicycling along the western bank of the Santa Cruz River. In the Town of Marana, the path begins at Cortaro Road and proceeds northward to the northern end of the Continental Ranch development where it connects via a drainage canal to approximately Coachline Boulevard, a total length of 3.75 miles. However, a one mile segment of the path exists also along Sanders Road near Old Marana. The Town of Marana's path is a portion of the larger Pima County facility which begins at Irvington Road and runs along the Santa Cruz River to the north to approximately Speedway Boulevard, a distance of approximately 6 miles.

The Santa Cruz River Shared Use Path in Marana will be completed prior to the construction of the proposed improvements to Twin Peaks Road. As a result, we understand that reconstruction of approximately 500 feet of the path at its intersection with Twin Peaks Road would be required, which is less than one percent of the path's total length. At-grade shared use path crossings of Twin Peaks Road were not recommended because of potential vehicle conflicts; therefore, users of the shared use path would be diverted along the Twin Peaks Road embankment approximately 850 feet

east of the shared use path's alignment. In this location, both the Santa Cruz River Shared Use Path and the proposed Juan Bautista de Anza Historic Trail would cross Twin Peaks Road beneath the proposed Santa Cruz River Bridges.

To discourage pedestrian crossing of Twin Peaks Road at the former alignment of the Santa Cruz River Shared Use Path, the roadway's center median would be fenced for approximately 100 feet in length. This would direct path users to either cross under the Santa Cruz River Bridge or at the nearest intersection to the west (Twin Peaks Road and Clover Road).

Alternatives to the proposed improvements were considered and the impacts of the improvements have been assessed. All alignment alternatives considered would meet Twin Peaks Road in the same location; therefore, alternative alignments are not possible. A tunnel to carry the Santa Cruz River Shared Use Path beneath Twin Peaks Road at or near the path's current alignment was examined, but the tunnel would be within the 100-year floodplain of the Santa Cruz River. This would create safety issues for path users and would require pumping facilities to remove the water from the tunnel after flood events; therefore, this alternative was eliminated from additional consideration.

It is understood also that the Santa Cruz River Shared Use Path would undergo temporary closure during roadway and bridge construction. Although the path would be closed during construction, an alternative alignment may be provided by diverting path users eastward on Twin Peaks Road to the intersection of Twin Peaks Road and Clover Road. This crossing location will remain after construction is completed.

The Marana Parks and Recreation Department supports the proposed improvements and agrees with the determination that there is no other feasible and prudent alternative to the use of the portion of the path and that the preferred alternative will not have significant impacts upon the recreational utility of the Santa Cruz River Shared Use Path.

Sincerely,



Ron Smith
Parks and Recreation Director

cc: Steve Thomas, FHWA, Arizona Division Office, One Arizona Center, 400 E. Van Buren,
Suite 410, Phoenix, AZ 85004
Melissa Maiefski, ADOT, 1221 S. 2nd Ave., Mail Drop T100, Tucson, AZ 85713
Harvey Gill, Town of Marana
Kevin Thornton, Town of Marana
Bill Dehn, URS
Eric Sibson, URS
Scott Stapp, URS
Jana Camp, Town of Marana
Project File, Project No. 2001-44





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of Supervisors*

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Natural Resources, Parks
and Recreation Director

3500 West River Road
Tucson, AZ 85741
520.877.6000
fax: 520.877.6006

July 1, 2005

Division Administrator
Federal Highway Administration
One Arizona Center, Suite 410
400 East Van Buren Street
Phoenix, Arizona 85004-2285

ATTN: Mr. Robert E. Hollis

Re: I-10/Linda Vista/Twin Peaks Traffic Interchange - Impact on
Arthur Pack Regional Park


Dear Mr. Hollis:

The Pima County Natural Resources, Parks and Recreation Department met with representatives of URS Consultants and the Town of Marana on Tuesday, June 27, 2005 to discuss the subject of potential sound-related impacts on Arthur Pack Park from the above-referenced project. NRPR staff in turn met with the lease operators of the Arthur Pack Golf Course on June 28, 2005 to discuss this matter and to determine if it was advisable to forgo the installation of a sound wall to mitigate the possible noise impacts the project might impose.

After carefully considering the issue, both NRPR staff and the Arthur Pack Golf Course operator agreed that the likely impacts were insufficient to warrant the installation of a sound wall or similar noise attenuation measures. We are satisfied that the projected noise levels will not rise to a level requiring affirmative mitigation.

We appreciate the opportunity to meet with project staff and are available to meet again should additional issues arise. Please don't hesitate to contact me at 877-6000 if I can provide you with any additional information or assistance.

Sincerely,



Rafael Payan, Director

c: George Kuck, Operations Manager, PCNRPR
Steve Anderson, Principal Planner, PCNRPR